

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAMELA J. BLANCO,

Plaintiff,

-against-

JOHN BROGAN, individually and the
VILLAGE OF SCARSDALE, New York,

Defendants.

07 Civ. 4065 (CLB)

**DECLARATION IN SUPPORT
OF DEFENDANT BROGAN'S
MOTION TO DISMISS THE
FIRST AMENDED COMPLAINT**

EDWARD J. PHILLIPS, an attorney duly admitted to practice law in this Court and in the courts of the State of New York, hereby declares under penalty of perjury that the following is true and correct.

1. I am a member of the law firm of Keane & Beane, P.C., attorneys for Defendant John Brogan, Chief of Police of the Village of Scarsdale Police Department ("Chief Brogan"). I submit this Declaration in support of Chief Brogan's motion for an Order, pursuant to Fed. R. Civ. P. 8 and 12(b)(6), dismissing the First Amended Complaint as against him.

2. Annexed hereto as Exhibit "A" is a true copy of the First Amended Complaint, to which the instant motion is directed.

WHEREFORE, for the reasons set forth in the accompanying Memorandum of Law, the First Amended Complaint should be dismissed pursuant to Fed. R. Civ. P. 8 and 12(b)(6) as against the Chief Brogan, and the Court should grant Chief Brogan such other and further relief as it deems just and proper.

Dated: White Plains, New York
September 21, 2007



Edward J. Phillips (EP 4825)